

**BOARD OF SUPERVISORS**

**GILA COUNTY, ARIZONA**

Date: August 2, 2004

**JOSÉ M. SANCHEZ**

Chairman

**JOHN F. NELSON**

Clerk of the Board

**RONALD A. CHRISTENSEN**

Vice-Chairman

By: Marilyn Brewer

Deputy Clerk

**CRUZ SALAS**

Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: José M. Sanchez, Chairman; Ronald A. Christensen, Vice-Chairman; Cruz Salas, Member; John F. Nelson, County Manager/Clerk; and, Bryan Chambers, 2<sup>nd</sup> Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Supervisor Salas led the Pledge of Allegiance and Dixie Mundy delivered the Invocation.

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

Dixie Mundy, Director of Elections, requested approval for implementation of a political protocol at polling places. She gave a presentation on establishing polling place protocol to ensure that questions or issues, no matter where or when they occur during election day, are handled as quickly and efficiently as possible with minimal disruption to the voter and to the polling place election board. Ms. Mundy advised that the political protocol at the polling place is actually a suggestion by Bruce Adelson of the Civil Rights Division Voting Section of the U. S. Department of Justice that oversees Gila County's Voter Outreach Program. Mr. Adelson suggested that Gila County produce a protocol at the polling place which is really an

implementation of the statutes for governing activities inside and outside the polling place. Coconino and Apache counties have their protocol in place which Ms. Mundy has reviewed. Ms. Mundy advised that, in the past, a problem occurred at the San Carlos precinct whereby two party observers showed up at the polling places without permission from the County party chairman which was in violation of State law. She advised that establishing guidelines will be the purpose of the protocol. Ms. Mundy provided an overview of the protocol along with applicable statutes. A summary of the applicable statutes are as follows: 1) A.R.S. §16-590 allows for the appointment of challengers and party representatives, 2) A.R.S. §16-571 allows the distribution of poll list pages, 3) A.R.S. §16-516 requires that three “75 Foot Limit” signs be posted at each polling place, 4) A.R.S. §16-1018 prohibits unlawful acts by persons with respect to voting, and 5) A.R.S. §16-580 defines assistance for certain electors. Supervisor Salas stated that he is a firm believer in policies, practices and procedures and in reading the procedure he could find no problems and complimented Ms. Mundy for a well-written policy. Vice-Chairman Christensen said he believes this policy will eliminate problems and cause individuals to follow the law and not allow small groups to disrupt the voting process, and he also expressed appreciation of Ms. Mundy’s efforts. Chairman Sanchez also thanked the poll workers who return each year to assist with elections, and he stressed the importance of updating all workers on policies. He also congratulated Ms. Mundy on the policy and the manner in which she disseminated the information to the public. Upon motion by Supervisor Salas, seconded by Vice-Chairman Christensen, the Board unanimously approved the Political Protocol at Polling Places. **(A copy of the Political Protocol at Polling Places is permanently on file in the Board of Supervisors’ Office).**

A public hearing was held notifying Gila County taxpayers of Gila County’s intention to raise its primary property taxes over last year’s level. David Patterson, Finance Director, advised that said notification is being

provided pursuant to A.R.S. §42-17107. Mr. Patterson stated that the truth in taxation notice of hearing was published in the official newspaper of the County as prescribed by law. He advised that Gila County is proposing an increase in primary property taxes of \$133,003 or 83/100 of 1%. For example, the proposed tax increase will cause Gila County's primary property taxes on a \$100,000 home to increase from \$437.37 (total taxes that would be owed without the proposed tax increase) to \$441.00 (total proposed taxes including the tax increase). This proposed increase is exclusive of increased primary property taxes received from new construction. The increase is also exclusive of any changes that may occur from property tax levies for voter approved bonded indebtedness or budget and tax overrides. The primary property tax rate will remain at \$4.48 per hundred, and although the rate is remaining the same, property evaluations may change. Chairman Sanchez called for public comment. Leila Rice, a resident of Miami, Arizona, requested an explanation of the tax base and tax structure. John Nelson stated the tax structure in Arizona does limit primary property taxes at 1%. However, it also provides that the voters, if they choose, may vote in additional secondary taxes for special districts, such as street lighting districts, fire districts, etc., and for school override elections and school bond elections. He advised that special districts, school bond elections and school override elections are established for a limited geographical area. Residents residing within that geographical area vote to approve an additional secondary tax. Mr. Nelson offered to provide Ms. Rice with additional information to help her better understand the tax base and structure. Chairman Sanchez asked for further public comment; none was offered. Chairman Sanchez closed the public hearing at this time.

Chairman Sanchez moved on to agenda item 6 for the adoption of the 2004-2005 fiscal year budget for Gila County. Mr. Patterson provided an overview of the 2004-2005 budget. He reviewed a pie chart which illustrates County revenues, as follows: 27% Property Taxes, 20% Intergovernmental, 18% Fund Balance, 16% Sales Tax, 7% Highway User Fees/Vehicle Licenses,

5% Service Charges, 2% Auto Lieu, 2% Miscellaneous, 1% HELP Loan and 1% Fines & Forfeits. He proceeded to review another pie chart which illustrates County expenditures, as follows: 18% Special Revenue Funds, 17% Roads Department, 14% Law Enforcement, 11% Judicial Services, 9% General Government, 8% AHCCCS/ALTCS, 5% Health-Welfare-Sanitation, 4% Solid Waste Landfills, 3% Capital Improvements General Government, 3% Facilities Management, 3% Road Department Contingency, 2% General Government Contingency, 1% Education and Recreation, 1% Library Districts, and 1% Computer Services. Vice-Chairman Christensen commented that the charts were excellent. He stated, "It is important to understand that Gila County is unique as 97% of actual property in the County is not subject to property tax. However, the County is not relieved from mandated services and we have to tax this 3% of the property to fulfill all these obligations. It's a very difficult job..." He encouraged citizens to spend time reviewing the budget. Mr. Patterson reviewed the Summary of Tax Levy and Tax Rate Information page. Supervisor Salas advised that approximately four years ago, the County had a concern for the number of residents on fixed incomes. At that time, the County approached the Arizona State Department of Revenue and inquired if assessed property levels could be frozen. The State agreed that could be done; however, the State does not have to accept the County's action. The State was then asked if the County did freeze the assessed property levels, what would be the reaction of the State. The State responded that they would just subtract the difference from the State taxes that are dispersed back to the County. Supervisor Salas also wanted to emphasize that the County has no authority over the various special districts, but the County does have to collect the monies for those special district budgets. He suggests that citizens attend the special district board meetings, review those budgets, talk with those special district board members and provide their input. Supervisor Salas complimented Dave Patterson's efforts on the budget. Vice-Chairman Christensen made a motion to adopt the 2004-2005 fiscal year budget for Gila

County in the amount of \$61,937,191, which was seconded by Supervisor Salas. Marian Sheppard, Chief Deputy Clerk, conducted a roll call vote for this motion resulting in a unanimous decision to adopt the budget as stated in the motion. **(A copy of the 2004-2005 fiscal year budget for Gila County is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Salas, seconded by Vice Chairman Christensen, the Board convened as the Gila County Library District Board of Directors in order to address agenda item 5, the adoption of the 2004-2005 fiscal year budget for the Gila County Library District. Jacque Griffin, Assistant County Manager/County Librarian, gave a brief overview on the Library District. Ms. Griffin explained each line item for a total budget of \$854,577. Upon motion by Supervisor Salas, seconded by Vice-Chairman Christensen, the Board of Supervisors unanimously adopted the 2004-2005 fiscal year budget for the Gila County Library District. **(The 2004-2005 Gila County Library District Budget is included in the entire County budget packet.)**

Upon motion by Supervisor Salas, seconded by Vice-Chairman Christensen, the Board reconvened as the Board of Supervisors.

Upon motion by Vice-Chairman Christensen, seconded by Supervisor Salas, the Board of Supervisors convened as the Pine-Strawberry Water Improvement District Board of Directors in order to address agenda item 7, the Pine-Strawberry Water Improvement District (PSWID) 2004-2005 fiscal year budget in the amount of \$137,660. Chairman Sanchez called for public comment on this item; none was offered. Chairman Sanchez then closed the public hearing. Vice-Chairman Christensen requested that a comment submitted to John Nelson be read into the record. Mr. Nelson stated it was the intent of this Board to adopt this budget on July 13, 2004, in Pine, Arizona; however, the Payson Roundup Newspaper did not publish the budget on the requested dates. Per statute, the budget must be published in the newspaper for two weeks before it can be adopted. Mr. Nelson advised that on July 13,

2004, a tentative budget was adopted. Mr. Nelson advised that since the time the Board met in Pine, he received seven e-mails with the main question being: "Why isn't this budget being adopted in Pine?" Mr. Nelson advised that due to statutory publications and dates, the budget was scheduled to be adopted on this date. He advised that all concerned citizens were given an opportunity to submit comments and said comments would be entered into the official minutes of today's meeting. Mr. Nelson read aloud the one response he received, as follows: *"In response to your invitation for those who are unable to attend the August 2, 2004, meeting, to provide you with written comments for inclusion in the record, the members of CAWS (Citizens For An Adequate Water Supply) wish to advise the Board of Supervisors acting as the PSWID Governing Board that they have no objections to the approval of the PSWID 2004-2005 proposed budget as presented in the Payson Roundup. Thank you for the opportunity to include our comments."* The letter was signed by Steve Scott. Mr. Nelson advised that the budget remains unchanged from the tentative budget. Chairman Sanchez advised that today is the last day statutorily allowed to adopt the final budget. A motion was made by Supervisor Salas, and seconded by Vice-Chairman Christensen to adopt the 2004-2005 Pine-Strawberry Water Improvement District Budget in the amount of \$137,600; however, Vice-Chairman Christensen and Supervisor Salas requested to make comments before the vote. Vice-Chairman Christensen stated, "The comment I would like to make in regard to the Pine-Strawberry Water Improvement District is this Board, because of the resigning of the previous board, by law and by State law, ends up being the Pine-Strawberry Water Improvement District Board. This is not the first time that the Board of Supervisors has found themselves in this position particularly when it comes to Pine and Strawberry. We found that a few years ago the same thing happened with the fire district. We've had this happen with Rim Trail Domestic Water Improvement District. We've had this happen with the Mesa Del Caballo Fire District. This is not something new to the Gila County Board of Supervisors during my many years here, but never

before have I experienced such a disconnect that the people of this Pine-Strawberry Water Improvement District has had with the reality of their situation and the abuse that they have heaped upon this Board. I want to apologize to you two gentlemen (and this happens to be in my area) for the treatment that you received and the accusations and the outrageous conduct of these people and the accusations that they have made against you and this Board. Never have I seen any community treat any of the elected officials or representatives in the manner in which Pine and Strawberry has done, never once addressing the real issue of sustainable water supply, but just personal attacks. And I received again this week, the very same type of accusations and the defamation of character and the treatment of the Board in respect to it, in what we have tried to do for these people and what we have done for these people in respect to protecting them, protecting this district, seeing that the funds were secure, and that the new board coming on would have something to work with, a dollar amount at their discretion of how they want to then break it down. It has been a very difficult task to do and I do want to thank you. I appreciate your support and how you have dealt with this particular issue, even though there's been a lot of abuse and a lot of accusations presented to you. I do appreciate your professionalism and how you've handled it. Thank you.” Supervisor Salas thanked Vice-Chairman Christensen for his remarks and complimented Chairman Sanchez, Vice-Chairman Christensen and John Nelson on the hard work they’ve done in helping the Pine-Strawberry Water Improvement District. Chairman Sanchez stated, “When this Board accepted or voted on becoming and taking over for the responsibilities for the Pine-Strawberry Water Improvement District, I didn’t fully realize, at that time, what we were getting into, but there again, I think probably Mr. Nelson said it best of all a month ago, before we went up to Pine, ‘we have no dog in this fight.’ I tried to explain to folks, along with Supervisor Salas, and all of us, tried to explain that this budget is set up so when the newly elected Board is sworn in, in January, after the November election, they will have complete control of this

budget. We are just minding the fort, if you would, until such time as that action takes place. They are certainly the ones that should be taking care of these funds, and as the Vice-Chairman tried to explain, if they would have been able to take care of the business and resolve their differences we wouldn't be there in the first place, and it's as simple as that." Chairman Sanchez asked that those in favor of adopting the 2004-2005 fiscal year budget for the Pine-Strawberry Water Improvement District in the amount of \$137,600, vote aye. The motion passed unanimously. **(A copy of the 2004-2005 fiscal year budget for the Pine-Strawberry Water Improvement District is permanently on file in the Board of Supervisor's Office.)**

Upon motion by Vice-Chairman Christensen, seconded by Supervisor Salas, the Board reconvened as the Board of Supervisors.

Upon motion by Supervisor Salas, seconded by Vice-Chairman Christensen, the Board unanimously approved the Consent Agenda, items A through J, as follows:

- A. Approval for the transfer of a No. 6 Liquor License Application with an interim permit submitted by William Vom Baur for Straight Country located in Payson, Arizona (Gila County Order No. 04-03).
- B. Accepted the resignation of Roger Totten as a board member and approved the appointment of William F. Brown as a board member, both of the PWA Domestic Water Improvement District.
- C. Approval of the appointment of Barbara Bons Tejack and Irene Alta McMann as Precinct Committeepersons to the Gila County Democratic Party.
- D. Approval of the Order appointing election workers for the September 7, 2004, Primary Election. **(A copy of the Order is permanently on file in the Board of Supervisor's Office.)**
- E. Approval of the Order designating polling places for the September 7, 2004, Primary Election. **(A copy of the Order is permanently on file in the Board of Supervisor's Office.)**



- F. Acceptance of the Arizona Criminal Justice Commission Gang Prosecution Grant No. GP-05-099 between the Gila County Attorney's Office and the Arizona Criminal Justice System in the amount of \$3,016.00 which will provide a match towards the Arizona Criminal Justice Commission's Byrne Formula Grant for the period July 1, 2004 through June 30, 2005.
- G. Approval of the July 27, 2004 minutes of the official meeting of the Board of Supervisors.
- H. Approval of personnel reports/actions for the week of August 2, 2004, as follows:

Departure From County Service:

- 1. REPAC Program Manager – Community Services – 07-30-04 – Grant Fund - Sherill Ashworth – Hire 07-01-88 – Retirement
- 2. REPAC Training Specialist III – Community Services – 07-30-04 – Grant Fund - Robert Gradillas – Hire 08-02-93 – Retirement

Hire To County Service:

- 3. Clerk II – Recorder – 08-06-04 – General Fund - Anita Avalos
- 4. Director – G.E.S.A. – School Superintendent – 07-14-04 – Grant Fund  
B. Stephen Cullen

Temporary Hire To County Service:

- 5. File Clerk – Child Support – 08-09-04 – General Fund - Ian Pitterle
- 6. REPAC Government Liaison – Community Services – 08-02-04 – Grant Fund - Sherill Ashworth – 16 hours per week

Departmental Transfer:

- 7. Deputy Program Manager to Program Manager – REPAC – 08-09-04 – Grant Fund - Diana Russell – Replaces Sherill Ashworth
- 8. Office Supervisor to Temporary Clerk III – Recorder – 07-27-04 – General Fund - Carol Davis – Has accepted other employment – will train replacement
- 9. Clerk III to Office Supervisor – Recorder – 07-27-04 – General Fund

Cecily Taylor – Replaces Carol Davis

Position Review:

10. Reassign payroll to new Department fund – Engineering Services to Survey Department – 08-09-04 – County Surveyor – Evert Bunger
11. Reassign payroll to new Department fund – Engineering Services to Survey Department – Engineering Tech. III – Gary Tamietti
12. Reassign payroll to new Department fund – Engineering Services to Survey Department – Engineering Tech. IV – Ken Doss
13. Share payroll between Engineering Services and Survey Department – 08-09-04 – Senior Systems Analyst – Thomas Homan
14. Change fund codes – Weatherization Admin. Assistant – 07-26-04 – Grant Fund - Estelle Belarde
15. Salary Adjustment – Health Educator – 07-19-04 – Grant Fund - Dean Pederson, John Yanez
16. Anniversary Date Increase – 07-26-04 – Dave Ferrell, Gilbert Casillas, Eddie Lopez, Pete Ortega, Theresa Mikeworth, David Fletcher, Jendean Sartain, Cynthia Shafe
17. Anniversary Date Increase – 08-09-04 – Judy Smith, Christine Lopez, Gerald Philpot, Jackie Duckett, James Krueger, Mariano Gonzalez, James Mallory, Walter Dean Wiley, Randy Burkhalter, Robert Hickman, Ruben Gonzales, Rosemary Grice, Angie Poeling, Adrienne Rhodes
18. Salary Adjustment – Director of Environmental Health – Health Services – 07-26-04 – Health Services Fund – Dave Pote
19. Salary Adjustment – Sanitarian II – Health Services – 07-26-04 – Health Services Fund – Svanhildur Jones
20. Increase Hours – Collections Officer – Globe Justice Court – 08-09-04 – General Fund – Dan Alonzo – Increase from 15 to 20 hours per week
21. Salary Adjustment – Executive Director – Eastern Arizona Counties Org. – 07-01-04 – EACO Fund – Martin Moore – COLA increase

22. Salary Adjustment – Administrative Assistant – Eastern Arizona Counties  
Org. – 07-01-04 – EACO Fund – Beverly Martin – COLA/Performance  
increase

Request Permission To Post:

23. Executive Secretary – Gila Education Services Agency – School  
Superintendent – New position

**SHERIFF'S PERSONNEL ACTION ITEMS**

Position Review:

24. Anniversary Date Increase – 08-09-04 – Sue Henderson, Robert Craig  
Jones, Jared Arney

- I. Approval of finance reports/demands/transfers for the week of August 2, 2004, as follows: \$152,237.71 was disbursed for County expenses by voucher number X140940 through X141060 and X355300 through X355387, and \$677,214.03 was disbursed for County expenses by voucher numbers X141061 through X141092 and X355388 through X355550. The hand-issued warrants listing is as follows: voucher number X355295 in the amount of \$10,000.00, voucher number X355299 in the amount of \$391.40, and voucher number X140938 in the amount of \$37.50. **(An itemized voucher listing is permanently on file in the Board of Supervisors Office.)**
- J. Approval of Paul Daniel Julien as Judge Pro Tempore of the Payson Regional Justice Court for the period August 1, 2004, to December 31, 2004.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:29 a.m.

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José M. Sanchez, Chairman

ATTEST:

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John F. Nelson, County Manager/Clerk